

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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SECURITIES INVESTOR PROTECTION CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT SECURITIES LLC,

Defendant,

Adv. Pro No. 08-01789

(BRL)

SIPA Liquidation

**MOTION FOR  
INTERVENTION  
FRCP 24 (a) 24 (b)**

ADE OGUNJOBI  
TOKS, INC. & WHOLLY-OWNED SUBSIDIARIES

Intervenor-Applicant

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Before: Burton R. Lifland  
United States Bankruptcy Judge

**AFFIDAVIT SUPORTING MOTION FOR INTERVENTION [FRCP 24 (a) 24 (b)]**

State of Hawaii  
County of Honolulu

ADE OGUNJOBI

, being first duly sworn, says:

1. I am as the case may be in this action and have personal knowledge of the matters et forth in this affidavit.

2. I make this affidavit in support of motion for intervention, such as: I am an entrepreneur, who started his career back in 1988 at age of 28; the founder of Toks, Inc. and its wholly-owned subsidiaries, including the largest bank in the world ("Holding

Bank”) that will be formed solely to fight global poverty and now to address the current financial crisis. I am an author of all documents filed regarding this Motion For Intervention and all accompanying documents. I am also the author of the Web site [www.tspnotes.com](http://www.tspnotes.com) designed to continue to validate that this transaction of Toks, Inc. is never abandoned and any form of intimidation by SEC will never work because being productive and having a dream is legal.

3. I filed numerous papers with United States Securities and Exchange Commission (" the Commission") starting with the registration statement for IPO of Toks, Inc. on August 31, 2001 under SB-2, and followed with an amendment on September 7, 2001 under SB-2/A and United States Department of Justice regarding the amendment to the 425 Notices Pursuant to Rule 425 under the Securities Act of 1933 and deemed filed pursuant to Rule 14a-12 under the Securities Exchange Act of 1934 on October 8, 2001 to conduct proposed exchange tender offers in all stock tax free of all publicly traded entities mentioned in such filings that can be found on the Web site of United States Securities and Exchange Commission (“the Commission”) at [www.sec.gov](http://www.sec.gov) for public review.

4. I made first offer to conduct a buyout of Bernard L. Madoff Investment Securities LLC aka BLM in a correspondence dated February 17, 2009 and sent to Hon. Judge Burton, R. Lifland, the trustee and SPIC. The agenda back then was to negotiate with the trustee that all clients of Bernard L. Madoff Securities Investment LLC will receive \$60,000,000,000 in stock or 240,000,000 shares to cover all money lost in return for all liquid assets in Bernard L. Madoff Investment Securities LLC to start the process to launch the largest bank in the world (“Holding Bank”) that will conduct fight against global poverty and implement the recovery of the global financial crisis which is outlined

inside the Motion For Intervention.

5. I make this affidavit in support of the Motion For Intervention that I never met the Defendant, Mr. Bernard L. Madoff. I learned about the collapse of Bernard L. Madoff Investment Securities LLC through the media as in electronics (TV, Internet) and print (regular newspapers like Wall Street Journal, etc). Nor Toks, Inc. and its wholly-owned subsidiaries were formed solely to conduct the buyout of Bernard L. Madoff Investment Securities LLC, on a contrary, Toks, Inc. and its wholly-owned subsidiaries were formed years before the collapse of Bernard L. Madoff Investment Securities LLC.

6. I am the author of the Motion For Intervention and all other supporting documents filed on April 22, 2009 to conduct a buyout of Bernard L. Madoff Investment Securities LLC that will reimburse all clients of BLM all money lost and allow access to the liquid asset of \$1,000,000,000 numerous capital raising activities and operations of Toks, Inc. and its wholly-owned subsidiaries.

7. At the time of this filing of Motion For Intervention to conduct buyout of Bernard L. Madoff Investment Securities, LLC, I resides in Honolulu, Hawaii. For the record, I relocated on April 27, 2009 to Carrollton, Georgia because I left Oahu, Hawaii, where I was residing before to gain access to other issues lacked in Hawaii. With understanding that I will be heading to New York to oversee the setting up of Toks, Inc. and all its wholly-owned subsidiaries to close all transactions after the agreement to conduct buyout of Bernard L. Madoff Investment Securities LLC is signed.

8. I made numerous contacts to different attorneys to represent both Toks, Inc. and wholly-owned subsidiaries to file the motion, "Motion For Intervention" FRCP 24 (a) (b) with all indication that the author will be Mr. Ade O. Ogunjobi due to the fact that he possesses the business plan for the company and the vision.

9. An attorney was located that agreed to represent Toks, Inc. and its wholly-owned subsidiaries and Mr. Ade O. Ogunjobi. The attorney requested \$5,000 retainer fee which the founder of Toks, Inc. never possessed, but made effort to raise the \$5,000 to no avail..

10. After futile efforts to raise the \$5,000 retainer fee, the founder approached his bank that agreed to lend the \$5,000 as long as a co-signer signed the loan application. The repayment was 48 months at \$125 per month which can be deducted automatically from the account. Approached the attorney to consider to sign the loan application in order to get his \$5,000 retainer fee and allow the motion to be filed in a timely manner. A General Counsel position was even offered to the attorney to augment his income. The attorney declined.

11. I make this affidavit that filing the motion for intervention and all other supporting documents without an attorney representation is to achieve the opportunity to get this offer to conduct buyout of Bernard L. Madoff Investment Securities LLC that will reimburse all clients of Bernard L. Madoff Investment Securities all money lost through a \$100,000,000,000 in stock/cash program issue to the court and the trustee because no other offer is on table to cover all money lost by clients of Bernard L. Madoff Investment Securities and it will remain another injustice against the clients of BLM not to receive this offer regardless of who is filing such motion with or without an attorney.

12. This affidavit supports the strategy to file the motion first as a pro se and continue seeking an attorney that can file an amendment to appear for the hearing. The motion is extremely comprehensive.

13. I make this affidavit in support of the Motion For Intervention that I am not an attorney, nor ever practiced law in any state in United States. This motion was drafted by me under the word "determination" to get the motion to the court, even after numerous contacts to more attorneys after the motion was drafted.

14. I make this affidavit in support of the Motion For Intervention that this motion was drafted by me to the best of my ability using various previous drafts that were filed by reputable attorneys in district courts and incorporating the business plan and the vision of the Company, Toks,, Inc. and wholly-owned subsidiaries..

15. I make this affidavit that a pro se is not allowed to represent a corporation, but include my name as an Intervenor/Applicant to give the court the flexibility to grant the motion to Mr. Ade O. Ogunjobi without worrying about not granting the motion because an attorney is not representing the corporation. The argument is actually, Mr. Ade O. Ogunjobi is capable of appearing in court on behalf of himself, the entrepreneur and founder of Toks, Inc. because only an entrepreneur can actually raise capital to launch an entity. Any entity can be formed, without capital, is just another dream going no where. An entity cannot dream, only an entrepreneur can dream and possess the vision. An entity is just an entity formed to accommodate operations. The arrangement is to get the motion to the court and get it approved and then use the capital to start the process where attorneys and other professionals and employees will be employed and retained for their services, respectively.

16. I make this affidavit that I financed this filing of this motion by paying for copies mailed out to Judge Burton Lifland, United States Bankruptcy Court Clerk, Bernard L. Madoff Trustee, Federal Reserve Bank and United States Securities and

Exchange Commission. Paid for the mailing stamps and numerous telephone and e-mail contacts. I have been financing these efforts to raise capital to finance this transaction for years and paying for the Web site and the hosting. I continue to strive for excellence and it validates that an entity doesn't finance, entrepreneurs conduct finance for an entity's operation.

17. I make this affidavit that this motion is beyond repaying or reimbursing the clients/investors of Bernard L. Madoff Investment Securities LLC all money/investments lost to Bernard L. Madoff Investment Securities LLC. This motion addresses what has been plaguing this generation and this generation must strive to do the best for the next generation to enjoy just like the other generations before us did, and act on this innovation to launch the largest bank in the world that will address eradication of poverty around through the Fight Against Global Poverty campaign starting with this generation and passed on to the next generation(s) and address the current financial crisis as outlined inside the motion.

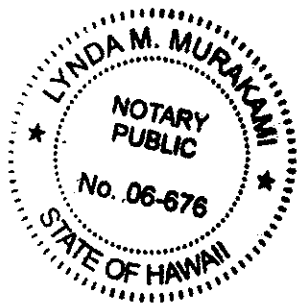
18. I make this affidavit to compel the court to review the order and permanent injunction against Mr. Ade O. Ogunjobi that such injunction that I am on record to file a civil action to display that everything from the very civil action filed to obtain the injunction to the very injunction were based on "lies" and both SEC and Judge Paul Friedman never produced any evidence to support the allegations and the order; including any victims or record of victims Judge Paul Friedman ordered to pay back their money. The court review will also found out that the injunction is sorely based on the offering, not a "death warrant" as so many "crooked" attorneys have tried to paint it. Interpretation: Mr. Ade O. Ogunjobi is allowed to seek capital and any form of capital

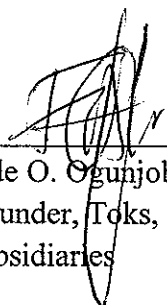
raised can be used to finance any transaction or the pending transaction or the ideas which will take us back to that civil action Mr. Ade O. Ogunbjopbi sis on record to file against SEC, Judge Paul Friedman and the Star Bulletin of Honolulu, Hawaii. This affidavit must educate the court that a great deal of "bad" influence will try to influence the court or confuse the court and it's the court's obligation to refrain from temptation to perpetuate "injustice" leveled against Mr. Ade O. Ogunjobi and the clients/victims of Bernard L. Madoff Investment Securities LLC because no one has any scintilla of reimbursing the victims of Bernard L. Madoff Investment Securities LLC all the money lost that we now know are in billions. And the famous parallel is people that were against abolition of slavery. People are against reimbursement of all money lost by victims of Bernard L. Madoff Investment Securities, that's an understatement.

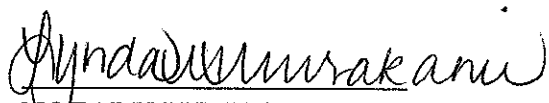
19. I make this affidavit that I am a Naturalized Citizen of United States of America. I am a U.S. Citizen since 1996.

20. Finally, this affidavit is to establish that the tenacity of an entrepreneur to refuse to give up is part of what human spirit is all about. The clients of Bernard L. Madoff Investment Securities, LLC had their dreams shattered by a brilliant entrepreneur that turned out to be a "crook." This affidavit is restoring such dreams back for the clients of Bernard L. Madoff Investment Securities LLC through the buyout proposed through the Motion For Intervention and any legal technicality must not shattered such second chance for the clients of Bernard L. Madoff Investment Securities LLC and the benefits to the global community as we see it and outlined inside the motion.

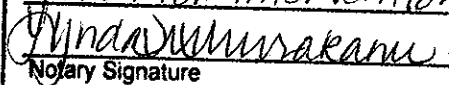
Subscribed and sworn to before me this  
20<sup>th</sup> Day of April 2009



  
Ade O. Ogunjobi  
Founder, Toks, Inc. and wholly-owned  
subsidiaries

  
NOTARY PUBLIC  
State of Hawaii - First Judicial Circuit

LYNDA M. MURAKAMI  
My commission expires on November 5, 2010

Document Date:	<u>undated</u>	# Pages:	<u>8</u>
Notary Name:	LYNDA M. MURAKAMI First Circuit		
Doc. Description:	<u>Affidavit supporting</u> <u>motion for Intervention</u>		
	<u>4.20.2009</u>		
Notary Signature	Date		

